

LIBRARY BOARD OF TRUSTEE BYLAWS

Article I. Identification

Section 1. The name of this Board is the “Board of Trustees of the Fayette County Public Library”, hereinafter referred to as “the Board.” The Fayette County Public Library will be hereinafter referred to as “the Library”.

Section 2. Geographical boundaries of the Library and taxed library district include the corporate boundaries of Fayette County.

Article II. Authority and Purpose

Section 1. The Board shall govern the Library, a municipal corporation and Class 1 library organized under the public library provisions, according to the purposes and authority set forth in IC 36-12, as amended, and such other Indiana and federal laws as affect the operation of the Library.

Section 2. Members of the Board (Trustees) shall serve without compensation, except that the Treasurer may be paid, per IC 36-12-2-21. A Board member may not serve as a paid employee of the public library.

Section 3. Necessary travel and/or meal expenses of any Board member incurred in the interest and business of the library may be reimbursed out of library funds, per policy or board resolution. Such travel on behalf of the Library shall be approved by the Board.

Section 4. The Board may engage legal counsel as needed for legal advice. The President of the Board or the library director may request the legal opinions of legal counsel for any matter which comes within the jurisdiction of the Board, and shall report the opinion to the Board.

Article III.

Personnel

Section 1. The library board shall select a librarian who holds a certificate under IC 36-12-11 to serve as the director of the library. The selection shall be made solely upon the basis of the candidate's training and proficiency in the science of library administration. The board shall fix the compensation of the director. The director, as the administrative head of the library, is responsible to the board for the operation and management of the library, per IC 36-12-2-24(a)

Section 2. The director shall have the power to write and enforce administrative regulations or procedures governing the Library which logically stem from adopted and approved Board policies. Such regulations or procedures shall be consistent with the policies of the Board.

Section 3. The director shall be held responsible for the care of the building(s) and equipment, for the employment and direction of the staff, for the efficiency of the library's service to the public, for the administration of the long range plan and short term goals, and for the operation of the library under the financial conditions set forth in the annual budget.

Section 4. The director shall attend all library Board meetings, except those at which her/his appointment, salary, or performance is to be discussed or decided.

Article IV.

Conflicts of Interest

Section 1. Board members, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity and honor.

Section 2. Board members shall promote a high level of service while observing ethical standards.

Section 3. Board members shall avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the institution.

Section 4. Board members will not use the library for personal advantage or the personal advantage of friends or relatives.

Section 5. Board members will declare any conflict of interest between their personal life and their position on the Library Board and avoid voting on issues that appear to be a conflict of interest. It is incumbent upon any Board member to disqualify or recuse himself/herself from voting immediately whenever the appearance of a conflict of interest exists.

Section 6. If the possibility of a long-term conflict of interest exists, the Board member shall complete the Uniform Conflict of Interest Disclosure Form annually.

Article V. Nepotism

Section 1. The Library will always hire employees based on their experience, skills and merit. If a family member of a Board member or current staff member is interested in a position with the Library, that person should apply through standard channels.

Section 2. No immediate family member of a current staff member will be considered for a position wherein one member would have supervisory duties over the other.

Article VI. Amendments

Section 1. These bylaws may be amended at any regular meeting of the Board by majority vote of the members.

Section 2. Amendments shall be proposed one month in advance of voting, and a copy provided to each Board member in the monthly board packet.

Section 3. Amendments may be proposed by any member of the Board

Section 4. The amendments for each year shall be sent to the Indiana State Library upon submission of the annual report.

Section 5. Suspension of the rules. Any rule, resolution or provision of these bylaws may be suspended temporarily in connection with business at hand when approved by majority vote of the members present if a quorum exists, if the suspension is deemed in the best interest of the library board at the time.

Article VII. Membership

Section 1: An appointee to a library board must reside in the library district during the time the appointee is on the library board (IC 36-12-2-7).

Section 2: The library board will consist of seven members. Members of the Board shall be appointed pursuant to IC 36-12-2-9, and as follows:

Class 1 library (town/city, township, multiple townships, county library) Appointing authority
Trustee 1 | County Commissioner

Trustee 2 I County Council
Trustee 3 I School board
Trustee 4 I School board
Trustee 5 I School board
Trustee 6 I County Commissioner
Trustee 7 I County Council

Section 3. The terms of board members shall be staggered so that not all terms shall expire at the same time.

Section 4. In accordance with IC 36-12-2-20, a vacancy occurs whenever a member is absent from six (6) consecutive regular board meetings for any cause other than illness.

Section 5. Vacancies for any cause shall be filled by the appropriate appointing authority. If a member is appointed to fill an unexpired term, his term shall be for the length of time remaining in the unexpired time.

Section 6. In cases of an extended illness or required military service, the secretary shall write to request the appointive authority to name a temporary replacement who shall serve until the appointee returns or the term expires.

Section 7. The appointing authority shall issue to each appointee to the Library Board a signed certificate of appointment. Not more than ten (10) days after the receipt of the certificate of appointment, the appointee shall take an oath of office by an individual authorized by law to administer the oath. The appointee shall file the certificate of appointment and the endorsed oath with the records of the Fayette County Public Library, which shall be preserved as a public record. (IC 36-12-2-19)

Section 8. A member of the Library Board may be removed at any time by the appointing authority, after a public hearing, for any cause which interferes with the proper discharge of duties as a member of such Board or which may jeopardize public confidence in the member. (IC 36-12-2-20)

Article VIII.

Officers

Section 1. Officers of the Board shall be a President, Vice President, Secretary and Treasurer, per IC 36-12-2-22 and IC 36-12-2-23.

Section 2. The officers shall be elected at the July meeting for a term on one year, per IC 36-12-2-23.

Section 3. Vacancies in office shall be filled at the next regular meeting of the Board after the vacancy occurs.

Section 4. Any officer may be removed by the Board at any regular or special meeting by a majority vote of the entire membership of the Board.

Section 5: The duties of the President are to preside at board meetings, to appoint committees, and to serve as chair of the Long-Range Planning Committee.

Section 6: The duties of the Vice-President are to preside over meetings in the absence of the President and to assume the duties of the President if a vacancy occurs in that office between elections.

Section 7: The duties of the Secretary are to oversee the minutes of the Board meetings and to certify or attest to documents when required.

Section 8: The duties of the Treasurer are to sign warrants for the payment of Library expenses and to sign other documents as required. The person serving in this position must be bondable.

Article IX.

Library Budgetary Controls

Section 1. The Library Director shall prepare an annual budget estimate for the review of the Board, based upon the expected revenues as provided by the Department of Local Government Finance and other local revenue.

Section 2. The Library shall follow approved procedures established by the Indiana State Board of Accounts in the current Manual of Library Financial Accounting and Budgetary Procedures.

Section 3. The Library Board shall receive monthly financial statements showing the details of Library receipts and disbursements within all Library funds, and shall make transfers periodically to balance accounts within funds, if the same is deemed necessary.

Section 4. The Treasurer and Bookkeeper shall be bonded annually upon election as found in IC 36-12-2-22.

Section 5. The Library shall carry insurance coverage to protect the Library against the dishonest acts of any employee.

Article X.

Meetings

Section 1. The Board shall meet at least monthly. The Board shall set the meeting days for the year at the December meeting. (IC 36-12-2-23)

Section 2. Meetings may be called by the President or any two (2) board members at other times as deemed necessary.

Section 3. Notification of the meetings shall be the posted at the library and by sending a notice of the meetings to the news media requesting such notice (IC 5-1.5-5).

Section 4. Meetings of the board, except executive sessions, are open to the public in accordance with the Indiana Open Door Law (IC 5-14-1.5.5).

Section 5. A quorum for the transaction of business shall consist of a simple majority, which is equal to 50% of the seats established by law plus one, regardless of any current vacancies on a library's board.

Section 7. The latest revision of Robert's Rules of Order shall govern the conduct of all board meetings, with modifications as deemed desirable by the board.

Article XI. Committees

Section 1. Standing Committees will be appointed by the President, with the approval of the Board, at the July meeting, and will serve for one year. All other committees will be appointed by the President, as needed.

Section 2. Committees may have citizen members, as deemed appropriate for their purpose by the Board.

Section 3: The duty of the committees shall be to investigate, study, and report on matters for Board action, such matters determined by the President and/or the consensus of the board.

Article XII. Indemnification of Board Members

Section 1. Any person who is or was a Library Board member, Library Director, Assistant Director and Bookkeeper shall be indemnified, saved harmless and defended by the Library against expense, including attorneys' fees reasonably incurred by him/her (and not covered by Library insurance) in connection with the defense of any action, suit or proceeding, civil or criminal, in which he/she is made or threatened to be made a party by reason of being or having been in any such capacity or arising out of his/her status as such, except in relation to matters as to which he/she is adjudicated in such action, suit or proceeding, civil or criminal, to be liable for negligence or misconduct in the performance of his/her duties to the Library.

The Library may also reimburse any such Library Board member, Library Director, Assistant Director and Bookkeeper, past or present, for the reasonable cost of settlement of

such action, suit or proceeding if it shall be found by a majority of the trustees not involved in the matter in controversy (whether or not a quorum) that it is or was to the best or was the best interest of the Library that such a settlement be made and that such Board Member, Library Director, Assistant Director and Bookkeeper was not guilty of negligence or misconduct. Provided, however, that such indemnification and reimbursement shall not be deemed exclusive or any other rights to which those indemnified may be entitled under any provisions of these Bylaws, resolutions or other authorization heretofore or hereafter adopted after notice, by a majority vote of all the members entitled to vote. The Library shall have the power to purchase and maintain insurance on behalf of any person who is or was serving as Board Member or Library Director against any liability asserted against him/her in any such capacity or arising out of his/her status as such.

Article XIII.

Policy, Plans and Regulations

Section 1. In addition to operating in accordance with these Bylaws and the laws of the State of Indiana, the Board shall adopt policies, plans, rules, and regulations to govern its operations, and may affirm policies, plans, rules and regulations proposed by the Library Director for the management and administration of the Library, as required by 590 IAC 6-1-4(d), 590 IAC 6-1-4(e) and 590 IAC 6-1-4(h) .

Section 2. All of these policies, plans, rules, and regulations shall be organized in manual(s).

Article XIV.

Review of Bylaws

Section 1. The bylaws will be reviewed at the November meeting. The secretary shall affix the date of review to the bylaws for audit as well as indicating the action in the minutes.

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Approval Date: April 12, 2011

Reaffirmed: March 11, 2025

NEW () REVISED (X)